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SUBJECT: KAZAKHSTAN: PRESIDENTIAL ELECTION ROUNDDUP,
OCTOBER 17

1. (U) This is the fourth in a series of weekly election roundups, in advance of Kazakhstan's December 4, 2005 presidential elections. Items were drawn primarily from the local press and media.

Nomination Period Ends -----

2. (U) The nomination period ended on October 3. Of the 18 individuals who filed applications for registration, 13 met the pre-registration language requirement. Former wrestling coach Zhaksybay Bazilbayev withdrew from the race on October 10, leaving 12 candidates. As of October 14, only three candidates -- Nursultan Nazarbayev, Zharmakhan Tuyakbay, and Yerasyly Abylkasymov - had submitted their signatures to the Central Election Commission (CEC) for review. Although the CEC recommended that candidates submit their signatures by October 14 in order to allow sufficient time for review, Alikhan Baimenov was expected to submit his materials the following week.

3. (U) The CEC announced on October 7 that President Nazarbayev's application had been approved and he had been officially registered as a candidate. Despite reports that many of the signatures gathered in support of Tuyakbay in Atyrau Oblast had been invalidated, the CEC announced on October 15 that Tuyakbay had also been officially registered as a candidate.

Accusations of Illegal Campaigning -----

4. (SBU) The sides are trading accusations of illegal campaigning. The opposition has accused Nazarbayev of illegal early campaigning, due to the president's involvement in high-profile public events, party meetings, public associations' congresses, and meetings with Hollywood celebrities and well-known sportsmen. The opposition underscores the broad press coverage such events have received.

5. (SBU) On October 6, the Procurator General's office issued a press release about falsifications during the signature collection campaign in six regions. The press release did not name which candidates' representatives were involved. Arman Shurayev, of President Nazarbayev's election headquarters, alleged that some people collected signatures for other candidates under the false pretense of gathering signatures for Nazarbayev. The procuracy announcement urged voters who discover forgery to file complaints with election commissions.

6. (U) Mazhilis member Abylkasymov issued a statement calling for the resignation of the Cabinet and of corrupt regional and district level akims, without naming the regional leaders he had in mind. Several MPs accused him of using his parliamentary position to conduct illegal pre-election campaigning and filed official complaints with the CEC and the Procurator General.

Tuyakbay Stays on the Offensive -----

7. (SBU) In an October 4 open letter to President Nazarbayev, Zharmakhan Tuyakbay accused the president of being the principal shareholder and the real owner of Kazakhstani copper giant Kazakhmys. In the letter, Tuyakbay wrote that in January 1997 Kazakhmys had been illegally privatized and sold to Samsung Deutschland GmbH. In 2002 Samsung sold its shares to three managers of the enterprise: president Vladimir Kim (47%), general manager Yong Ku Cha (38.1%), and Oleg Novachuk (12.5%). "According to foreign analysts, the cost of the enterprise is about \$3.5-4 billion," the letter said. "Tell me how a former employee of Lenin District Executive Committee, Vladimir Kim, became an owner of the copper giant," Tuyakbay asked. The letter also cited the Sunday Times, which reported that the third shareholder, Oleg Novachuk, had been Financial Advisor to President Nazarbayev.

Tuyakbay also asked how the president's brother, Bolat Nazarbayev, had happened to be a member of the board of

directors of Kazakhmys for a long period.

CEC Makes Several Commitments

18. (U) On October 11, the CEC issued a statement calling on all presidential candidates and their teams to observe the law and to utilize peaceful and non-violent means in their campaign. The statement spells out several commitments to ensure fair elections, including ensuring equal access to the media, objective press coverage, permission to hold rallies, welcoming foreign observers, and publishing precinct-by-precinct results within 24 hours.

19. (SBU) "For a Just Kazakhstan" (FJK) immediately labeled the CEC statement a populist gesture timed to coincide with Secretary Rice's visit to Kazakhstan. Nazarbayev's supporters, on the other hand, welcomed the statement as very timely. In conversations with post, Baimenov was guardedly optimistic about the statement.

110. (U) Kazakhstan's election legislation is very close to international standards, CEC chairman Onalsyn Zhumabekov stated on October 5 in Astana. "We closely cooperate with the OSCE Office for Democratic Institutions and Human Rights. Kazakhstan took into consideration recommendations of international organizations following the election to parliament last year," Zhumabekov added.

Observers

11. (U) According to the CEC, about one thousand observers from the OSCE and CIS will monitor the presidential election. "We expect 36 long-term observers and about 400 short-term observers from the OSCE Bureau on Democratic Institutions and Human Rights, and about the same number of observers from the CIS," CEC representative Tatyana Okhlopko said at a meeting organized by NDI in Astana on October 13. Accreditation of foreign observers will proceed until November 28.

112. (U) At the same meeting, Okhlopko accused the OSCE of providing a biased assessment of the 2004 parliamentary elections. "There is a group of countries in the OSCE which scrutinize election shortcomings through a magnifying glass and do not see the same flaws in other countries." Okhlopko referred to electoral systems in Great Britain, where election campaigns are carried out by municipal officials, and Norway, where ballots are counted by law enforcement agencies. Okhlopko also praised the "Sailau" e-voting system used in Kazakhstan, claiming other nations had criticized the system because they envied Kazakhstan.

113. (SBU) Okhlopko was echoing comments made on October 8 by CEC chairman Zhumabekov, who publicly criticized the OSCE for sending observers from "one and the same countries" to Kazakhstan. First Deputy Foreign Minister Rakhat Aliyev, speaking at a Central Asian media conference in Almaty on October 13, attempted to mute the criticism by expressing his confidence in the high level of professionalism and objectivity among OSCE observers. Zhumabekov himself announced on October 14 that by inviting all 55 member-states to send observers to Kazakhstan, the OSCE had heeded his recommendation.

Survey of experts

114. (SBU) According to a poll of 30 political experts conducted by the Eurasian Rating Agency, Nursultan Nazarbayev will win 65.8% of votes in the first round of the presidential race. Alikhan Baimenov and Zharmakhan Tuyakbay will compete for second place, with 9.88% and 9.61% respectively. Eccentric MP Yerasy Abylkasymov is expected to come in fourth with 4.24%. Green movement proponent Mels Yeleusizov will be fifth with 3.47%. Senator Ualikhan Kaysarov will be sixth with 2.88%. The rest of the candidates would each receive less than 1% of the vote. During the survey more than 30 political experts

were questioned, including representatives of public associations, political parties, analysts, sociologists, officials and journalists. No one who was questioned had doubts that Nazarbayev would win in the first round.

Concerns of Human Right Advocates

15. (U) On September 28, the Kazakhstan Bureau for Human Rights and Rule of Law issued a statement voicing concern over pressure on the opposition candidates and their supporters. The statement called on the president to provide for freedom of speech, peaceful assembly and the right for political activities including opposition ones.

Almaty Police Seize Brochures with Draft Constitution

16. (U) On October 5, 30 uniformed police officers and 15 individuals in plain clothes arrived at a private home in Almaty to seize brochures containing FJK's proposed draft constitution. The owner of the house Aydar Kinayatoldin and opposition activist Yermurat Bapi tried to resist the seizure. The officers however produced a court order from the Medeu district court of Almaty based on a complaint from a man who said his picture had been used in the publication without his permission, and seized 151,000 copies of the brochure. Later that same day, the police returned and seized an additional 40,000 copies.

Unsanctioned Rally Leads to Arrests

17. (SBU) On October 12, FJK and Communist Party leader Tulen Tokhtasynov was arrested in front of FJK headquarters in Almaty as he was leaving for the airport to fly to Astana to attend the Secretary's speech. Twenty heavily armed police in riot gear arrested him on charges of an administrative violation for participating in an "unsanctioned rally" on October 8 in Almaty. (According to FJK members, they applied for a permit for a rally and when it was denied, they instead organized an outdoor "meeting" between Senator Zaufresh Battalova and 2000 of her constituents.) Tokhtasynov was released later on October 12 after paying a fine of 50,000 KZT (\$375), and attended the Secretary's October 13 speech in Astana.

18. (SBU) Legal proceedings have reportedly begun on the same charges against other FJK leaders, including Bulat Abilov, Oraz Zhandosov, Amyrzhhan Kosanov, Gulzhan Yergaliyeva and Altynbek Sarsenbaiuly. Despite indications from the GOK that the arrest had been an aberration, FJK leader Bulat Abilov was detained following an October 17 press conference in Almaty. According to an FJK press release, the detention occurred despite the fact that the hearing in Abilov's case had been postponed until October 18. He was reportedly taken to court.

Youth Activists Detained in Almaty

19. (U) On October 10, a group of 53 young people participating in a conference organized by the FJK Youth League and "Alga" were arrested as they marched to lay a wreath on the Independence Memorial at the central square of Almaty. They were kept at Bostandyk district police office for over three hours. The activists claim that they were harassed, intimidated and mistreated. The next day 45 participants were tried; two received warnings, and others received fines of up to 20,000 tenge (\$150).

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